IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 22907 of 1994

Between:

1 N.Subrahmanya Sarma, S/o. Satyanarayana Murthy,
Lemarthi Agraharam, Parwada (M), Visakhapatnam Dist.
2 N.V.Ch.Sekhar, S/o. Subrahmanya Sarma,
Lemarthi Agraharam, Parwada (M), Visakhapatnam Dist.
3 N.Mohan Rao, S/o. Satyanarayana Murthy,
Kasimkota (M)&(V), Visakhapatnam Dist.
4 N.Krishna Rao, S/o. Satyanaarayana Murthy,
Lemarthi Agraharam, Parwada (M), Visakhapatnam Dist. **..... PETITIONERS**

AND

1 The Special Dy.Collector, (Land Acquisition), National Highway ,
Visakhapatnam.
2 The Mandal Revenue Officer, Parwada (M),
Visakhapatnam Dist.
3 The Special Dy.Collector(Land Acquisition), Steel plant,
Visakhapatnam Dist. **...RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ or order or direction particularly one in the nature of Writ of Mandamus declaring the proceedings of 1st respondent in Rc.No.110/91 RI/II, Dt.2.8.1993 and consequential order of the 2nd respondent dt.31.10.1994 in PR No.1/94 is wholly without jurisdiction, arbitrary and illegal and consequently direct the respondents 1&2 not to recover the amounts paid to the petitioners in pursuance of the award No.2/92 dt.3.3.1992.

Counsel for the Petitioners: MR.P.SRI RAGHU RAM

Counsel for the Respondents: G.P. for Revenue

The Court made the following :

O R D E R :

Learned Government Pleader appearing for the respondents submits that having regard to the fact that the amount has already been recovered, the Writ Petition has become in fructuous.

Recording the same, the Writ Petition is dismissed, as in fructuous. However, it shall be open for the petitioners to take any such steps to which they are entitled under Law. It is needless to mention that such remedies opted for by the petitioners should be independently considered, enquired into and disposed of, uninfluenced by any of these proceedings. No costs.

23.09.2004

DRK

Copy to:

1 The Special Dy.Collector, (Land Acquisition), National Highway , Visakhapatnam.

2 The Mandal Revenue Officer, Parwada (M), Visakhapatnam Dist.

3 The Special Dy.Collector(Land Acquisition), Steel plant, Visakhapatnam Dist.

4. Two CCs. to the G.P.for Revenue, High Court of A.P., High Court buildings, Hyderabad (o.u.t.).

5. Two CD copies.